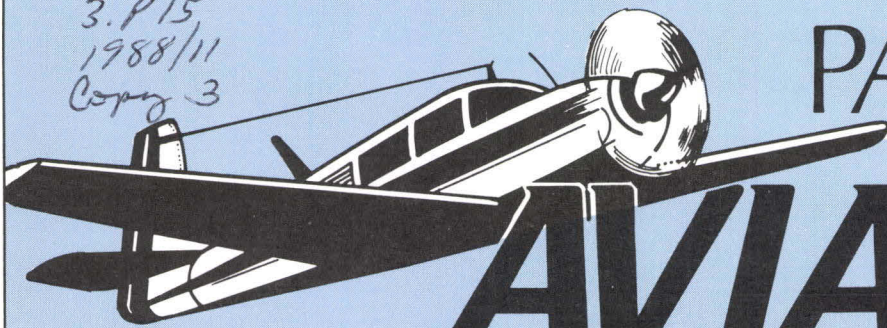


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PALMETTO

# AVIATION

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## FAA Compliance and Enforcement:

### *How It Can Affect You* STATE DOCUMENTS

by John Adams Hodge

With increased attention on aircraft involved in "near misses", TCA and ARSA Violations, the Federal Aviation Administration has been put under pressure by Congress, the media, and the public at large to take a more aggressive stance toward violations of Federal Aviation Regulations.

Pilots, mechanics, controllers, other FAA certificate holders such as flight schools, air taxi operators, and airlines as well as many other entities involved in aviation are subject to enforcement actions.

The possibility that a pilot, mechanic or other entity involved in aviation, could be involved in enforcement actions taken by the FAA for incidents and/or accidents should be of concern to all parties. Just as the FAA has the authority to issue airmen certificates, the agency also is authorized to modify, suspend, or revoke certificates. Other types of enforcement actions include assessment of civil penalties, criminal action, re-examination, seizure of aircraft, and administrative action.

While FAA guidance documents outline the enforcement procedures available to the agencies' inspectors and legal counsel, FAA certificate holders and other parties engaged in aviation should be aware of the government's options and procedures in pursuing enforcement actions.

A letter of investigation usually puts the party on notice that the FAA is investigating a particular incident, and the letter may solicit a report from the party under investi-

*See Compliance, Page 6*

### S.C. Airports Conference is here!

The 11th S.C. Airports Conference is here.

When you attend the conference, be sure to look for Richard Collins, former editor of Flying Magazine and the new publisher and editor of AOPA's pilot magazine.

Topics for the Nov. 15-18 conference range from Wayports: A new way to solve an old problem, to Legal Issues in Aviation, to FBO Problems and Concerns. All topics emphasize our airports conference theme of "Flying Toward the Future".

There's something for everyone involved in the aviation industry, whether you're a pilot, a FBO or an airport commissioner.

You won't want to miss the FAA Listening Sessions, the Seafood Extravaganza or any of the sponsored hospitality suites. See you there!



The Southeastern Airport Managers Association recently held its 42nd Annual Conference in Myrtle Beach where over 400 participants met to discuss airport development, tenants, and funding problems.





**PALMETTO AVIATION** is an official publication of the South Carolina Aeronautics Commission. It is designed to inform members of the aviation community, and others interested in aviation, of local developments in aviation and aviation facilities, and to keep readers abreast of national and international trends in aviation.

The Aeronautics Commission is a state agency created in 1935 by the South Carolina General Assembly to foster and promote air commerce in the state.

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## Cold Weather Flying: It can be a chilling experience

Winter is just around the corner and with it comes problems that warm-weather people just don't see that often.

Neil Baker, S.C. Aeronautics Aircraft Maintenance Supervisor, says cold weather presents a different set of problems than hot weather.

"How about a frozen crankcase breather? They have been known to cause oil caps to blow out or rupture a case seal," commented Baker. "The loss of oil, in this case could result in an in-flight shut down. Check to assure the breather system is free of ice before takeoff."

Baker also suggests looking at your cabin heaters. "Those cabin heaters are another area that if unchecked could cause you harm. Many small aircraft use the muffler or a part of the exhaust system to

heat air. This air, if mixed with carbon monoxide from a crack in the system, will enter the cabin."

Be sure to check the exhaust system before using it, advises Baker.

Cold weather can also bring frost and ice onto the scene.

"Frost is another problem most often overlooked," said Baker. "That frost or light snow won't blow off on takeoff. So take the time to remove it."

Checking ice, snow and your exhaust systems on your aircraft will give you a safety edge. However, there are many more items that need to be checked when flying in colder weather.

Be sure to review your owners manual and pick up a copy of *Tips On Winter Flying* from your local FAA facility, to be on the safe side.

## EAA Chapter 242 Annual Banquet Slated for November 18

Chapter 242 of the EAA will hold their Annual Banquet on November 18 at Seawell's at the Fairgrounds in Columbia.

The guest speaker for the evening is Frank Kingston Smith, Piper Aircraft Corporation's Ambassador.

Smith is also a noted and respected author of 11 popular aviation books, as well as numerous articles in magazines and trade publications.

Smith's books include *I'd Rather Be Flying* and *Weekend Wings*. He now travels across the United States in a Piper Turbo Arrow IV speaking to aviation and non-flying groups about the wonders of flying.

Smith started flying as a way to

relax from his busy law practice. He admits that since that time, flying has been an important and positive part of his life.

Smith has also served as a registered lobbyist for ten years representing 550 major aviation manufacturing, service and support companies and has been involved in virtually every major aviation legislative and regulatory proceeding in the Congress during that span.

The EAA banquet will begin with a cocktail hour (cash bar) beginning at 6:30 p.m. dinner will be served at 7:30 p.m.

Tickets for the banquet are \$12 and can be obtained from any EAA officer or by calling Jean Edwards at (803) 734-7607.

South Carolina Aeronautics Commission Offices are at Columbia Metropolitan Airport. **Mailing Address:** Post Office Drawer 1987, Columbia, South Carolina, 29202. **Phone:** (803) 739-5400.



## SCAC Approves Grants For Many Needy Airports

Williamsburg County Airport, Spartanburg Downtown Airport, Donaldson Center, Beaufort County Airport, Hilton Head Airport and Rock Hill's Bryant Field all received funding for projects at the State Aeronautics Commission meeting in Columbia.

The Aeronautics Commission held their regular monthly meeting in Columbia where commissioners approved \$302,138.00 for airport projects.

These projects when completed will generate nearly \$3.3 million in total funding costs when combined with federal grants.

•Williamsburg County -- \$13,936 was approved for planning, designing and constructing a 700 ft. runway extension, which includes, environmental assessment, drainage, erosion control, runway lighting and relocating VASI system.

•Spartanburg Downtown -- \$42,645 grant to rehabilitate runway and clear obstructions.

•Donaldson Center -- \$161,840 for constructing a new general aviation ramp.

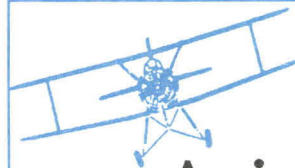
•Hilton Head Airport -- \$57,050 for constructing extensions to the parallel taxiway 3/21; install a DME; clear and acquire navigation easements.

•Beaufort County -- \$18,667 grant for grading, paving and marking for aircraft parking apron and connecting taxiway; installation of medium intensity runway lights and PAPIs.

•Rock Hill Bryant Field -- \$8,000 for remarking runway and installing PAPIs.

All projects listed above, except Donald Center, were funded with five percent local and state money and 90 percent with funds from the FAA. The funding for Donaldson Center is 35 percent state, 35 percent local and 30 percent from federal sources.

In addition to project approvals, the commissioners also discussed the upcoming S.C. Airports Conference, a proposed plan to standardize lighting systems at South Carolina airports, a future workshop for FBO's on refueling, and the delivery date for the state's Longranger III helicopter.



## Aviation Calendar

### November 13

Breakfast Club  
Fairfield County Airport  
Winnsboro

### November 15-18

*Flying Towards the Future*  
SC Airports Conference  
Marriott Resort  
Hilton Head Island

### November 18

EAA Chapter 242  
Annual Banquet, 6:30 p.m.  
Seawell's Restaurant  
State Fairgrounds  
Columbia, SC

### November 20

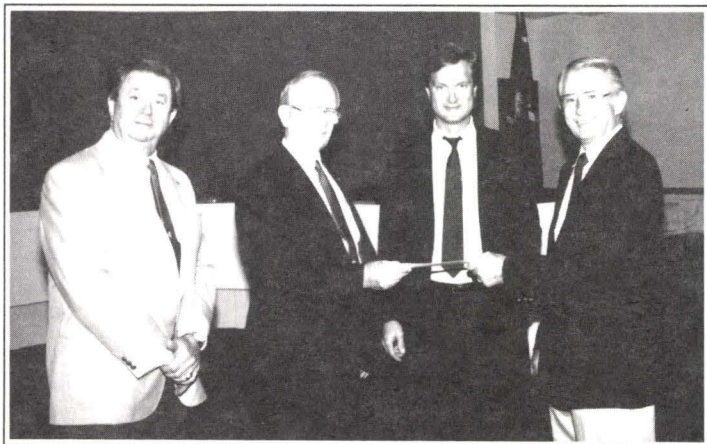
Moore County Airport  
Southern Pines, N.C.

### November 27

Breakfast Club  
East Cooper Airport  
Mount Pleasant

### December 11

Breakfast Club  
Dabbs Field  
Sumter, SC



Commissioner Charles Appleby (c) presented airport improvement checks recently to Horry County Council Chairman Laurie McLeod (r), as SCAC Director John Hamilton and Carl Ellington, manager of Horry County Airport Department look on. The check was a partial payment for \$171,592 in grants.

## Camden's Woodward Field Dedicates Terminal

While antique planes buzzed overhead, Camden ushered in a modern era with the dedication of their new terminal building at Woodward Field.

The dedication took place during the same weekend as the Camden Antique Fly-In.

The new building replaces their old terminal building which was built before World War II. The new building has many new features, including a pilot's lounge, a conference room, and two bunk beds for weary aviators. The terminal was designed by Camden architect Henry Boykin.

The 3,739 sq. ft. building also houses the Camden Flying Service where Bill Hawkins, airport manager and his wife, Anne, sell aviation fuel, rent hangar space and assist pilots.



# Aeronca Champ is Ready and Winning

There's a saying that hard work pays off in the end, but know one knows that to be true more than four Columbia men who have restored their classic airplane.

Ken Harrill, Xen Motsinger, John Gardner and Ray Ackerman can all attest to the many hours of labor that went into their total restoration of their 1946 Aeronca Champion 7AC.

Motsinger bought the plane in 1985 from a friend after it was damaged by hail in March 1983. When Motsinger realized other projects needed to be finished before he could begin working on the Champ, he sold the plane to a partnership, of which he is a member.

The partnership consisting of Motsinger, Ackermann, Gardner and Harrill also own a 1976 Cessna 172 with IFR equipment. So, essentially, the partnership has the best of both the modern and the classic worlds.

According to Harrill, an auditor with the South Carolina Auditor's Office, the restoration wasn't really planned. It just happened.

"We had planned to patch the holes resulting from the hail," said Harrill, "but upon further investigation, we decided to remove the fabric and recover it."

"Things went from bad to worse...wood needed replacing and rust (was found) in the bottom of the fuselage," said Harrill.

"We decided to perform a complete rebuild, and I mean a complete rebuild," added Harrill. "All metal showing any sign of corrosion was replaced. All tubing was treated internally with boiled linseed oil — all wood in the fuselage was replaced — all new cables, bolts and screws."

In addition to discovering the plane was riveted with rust, the men also discovered that the plane had to be totally recovered.

**Ackerman, Gardner, Motsinger and Harrill pose with their award-winning Aeronca Champion.**



They decided to use Stits using poly tone materials except when it came to the last coat and they used Stits clear aerothane.

"We came to know them (the Stits Company) on a first name basis," added Harrill.

The four men attended the Aeronca Fly-In in Ohio in 1986 and that was the turning point. They had seen the 1983 Best Classic from Oshkosh at the Fly-In and met their owners, Bob and Harold Armstrong.

"We kiddingly told them that they had cost us \$10,000," joked Harrill. "Why — because if we hadn't met or seen their Champ, we would not have gone the extra time, money and frustration of attempting to make an original looking Champ."

After seeing the Armstrong's plane, they knew their mission.

The four-man team spent hours restoring items and many times, had to do things twice or even three times before it met the men's fastidious standards in an effort to make an original looking Champ.

Harrill added their wives didn't see them much while they were working on their project. "We joked about one of our wives calling a lawyer asking if they could get a discount in getting four divorces at once."

Besides all the hard work, there were many trying times locating parts and repairing others.

Finally, after all the repairing, lubricating and waiting, the time came for flying.

The day after April Fools, they took her up. "I had flown the plane in 1983 before the damage from hail," said Harrill, "it was a pleasure to fly it first after the restoration."

"We had only 11 days from the first flight to make cosmetic changes in preparing for the 1988 Sun 'N' Fun EAA Fly-In," according to Harrill.

"Our new wood prop came in on Wednesday, the day before we were to depart for the trip."

"We developed a problem with one magneto a few days earlier. We repaired the mag, but did not have time to put it on. As it turned out, there was less than one point separation between our plane and the Grand Champion Classic at Lakeland. The mismatching mag probably cost us the top honor," said a disappointed Harrill.

However, the partnership has had a lot to brag about since Lakeland, including winning the Best Classic Under 80 horsepower at the '88 Oshkosh, the Best in Class at the National Aeronca Convention in June and winning two Grand Champion prizes at the Aeronca Fly-In in Ohio, and the Chapter III Antique/Classic Fly-In.

The four men are proud of their restored Aeronca Champ because now it is truly a flying show-plane in every sense.



# The Civil Air Patrol

## The Voice and Ears of the State CAP Turns Off Her Mike

Major Josephine B. Thomas has been the primary ears and voice of South Carolina Communications network for the past 16 years.

Josephine was recruited into the CAP by her husband in 1969.

LTC Sidney Thomas was then the Capital City Communication Squadron Commander and he felt that he would like to have his wife beside him in his CAP activities.

Josephine joined the Squadron and began training in the communications field.

In 1972, Josephine left the Squadron and joined the Wing staff. Within a few months she had become the Message Center officers. Josephine has held that same

position until recently.

As the Message Center Officer, Josephine has answered the SC Civil Air Patrol Communications Network, the Joint State Network and the Middle East Region Network. The communications networks are made up of CAP members who relay messages of CAP activities such as missions, training requirements, and events. She also has been the mission contact coordinator during the majority of her 16 years with the CAP.

Josephine is now leaving her position as Message Center Officer, because her husband, Sidney, had heart surgery. Sidney's pacemaker would be affected by the operation

of the radios used for the communications network and might impair his health.

The sacrifices both Josephine and Sidney have made for the CAP have not gone unnoticed.

Josephine has been a devoted officer of the SC Wing for many years and the SC Civil Air Patrol will miss her voice on the airways. However, many people will still hear her voice in our minds.

We will miss them, but as soon as Sidney gets back on his feet the two are going to do some long-promised traveling around the countryside.

We wish them well. Good luck and good health!

### Cadet Competition Held in Columbia

The annual South Carolina CAP Competition was held at Fort Jackson in early October. Cadets from the state competed for the honor to represent us at the Middle East Region Cadet Competition in Beckley, W.Va. this month.

The Cadet Competition evaluated the abilities of the Cadets in the many activities including: aerospace education, inspection, and innovate drill.

The Citadel Cadet Squadron placed first in the competition with the Greenville Cadets in second place.



### CAP Jobs Open

There are or will be several vacancies on the SC Wing Staff at the beginning of the New Year.

At present we are in need of a Transportation Officer and a Cadet Program Officer.

Only persons willing to work need apply.

To fill out an application, contact Chief of Staff Bill Walls at Wing HQ.

### Disaster Relief Exercise Judged by Air Force

Lancaster County Airport was the scene of this year's Graded Disaster Relief Exercise. The exercise involved a hurricane disaster scenario with the CAP managing a communications base, flying routes for damage assessment and ground teams searching for lost people.

The evaluation is conducted yearly by the Air Force to measure the abilities of the volunteers that constitute the CAP, which is an auxiliary of the Air Force.

The Disaster Relief evaluations are coordinated with the state Emergency Preparedness Division who aids in communications, writing and implementing the disaster exercise.

The overall average grade was satisfactory with commendable areas in performance for the flight crews, the cadet ground teams, administration and safety.

A special recognition went to Col. Douglas Ambercrombie, SC Wing Commander, for his outstanding participation as Ground Team Leader.



# Compliance to FAA Rules

## Continued from Page 1

gating a particular incident, and the letter may solicit a report from the party under investigation.

While no requirement exists for the person subject to an investigation to respond to such a letter, any response may be used against one in later proceedings.

The FAA is empowered to issue subpoenas, administer oaths, examine witnesses and receive evidence, require production of records, take depositions, and enforce compliance with a fact-finding procedure pursuant to an administrative order of investigation.

Willful violations of the Federal Aviation Act could launch a criminal investigation for matters ranging from air piracy to interference with air navigation to the failure to file reports.

A warning letter that is made part of a certificate holder's permanent record constitutes the least severe sanction. Where appropriate, the FAA may send a letter of correction that requires that action be taken to correct a violation. Where the FAA has reasonable grounds to question a pilot's qualifications or competence, the agency may subject a certificate holder to re-examination.

Failure to proceed with a re-examination could result in FAA action to suspend a certificate until re-examination is successfully completed. The FAA may elect whether it wishes to proceed in enforcement actions with a civil penalty or certificate action.

The agency may levy a civil penalty up to \$1,000.00 for each violation of the FAR's relating to safety. Civil penalties and certificate actions are reserved for more serious violations of the FAR's. In either case of civil penalty or certificate action, the alleged violator is provided the opportunity for an informal conference with FAA

Regional Counsel and the inspector handling the case. While such conferences may lead to compromise and settlement of the sanction sought, facts developed at the informal conference could later be used against the alleged violator.

Sanctions covered in enforcement of matters are intended to serve as punishment for a violation, as a deterrent to future violations, and as an example to others. The FAA guidance indicates that the sanction should be based upon consideration of a) the significance and degree of hazard to safety of other aircraft, persons, or property on the ground, created by the alleged violation; b) the nature of the violation (inadvertent or deliberate); c) past violation history; d) level of experience; e) attitude of alleged violator; f) nature of activity involved (private, public, or commercial); g) the ability of alleged violator to absorb the sanction.

Once the FAA issues its order, the affected party may appeal to the National Transportation Safety Board for a hearing by an administrative law judge. Further appeal may be made to the full NTSB, and appeal on legal matters may be made to the United State Court of Appeals.

The aviation safety reporting administered by NASA provides immunity from enforcement action in most situations. The immunity provisions were added to encourage participation in filing reports of safety problems without fear of enforcement action being taken.

In summary, pilots, mechanics, other FAA certificate holders and those involved in aviation should be aware that the FAA has an enforcement program designed to enhance compliance with the Federal Aviation Regulations and applicable portions of the Federal Aviation Act. Anyone involved in an

incident, accident, or other condition that would give rise to a notice of investigation and subsequent enforcement action by the FAA should attempt to ascertain the nature of the investigation and enforcement action to be taken.

*John Adams Hodge is an attorney in private practice in Columbia, SC and is also a pilot with Piedmont Airlines. He is a participating lawyer with AOPA Legal Services Panel and a member of the Lawyer-Pilots Bar Association. Hodge also holds ATP, FE, CFII and AGI certificates.*

## Aeronautics Employee Earns A&P Ratings



**Daniel J. Amyx, an apprentice mechanic for SCAC, recently received his Airframe and Powerplant ratings after two and a half years. Before joining the Aeronautics Commission, Amyx served nearly three years in helicopter maintenance with the U.S. Army, and has been in the Reserves for over seven years as a helicopter mechanic. SCAC is very proud of Dan.**



# FYI From the FAA

## Who's On The Runway?

### Vehicles In The Wrong Place Can Be Hazardous

*The following information can be obtained from the Federal Aviation Administration Flight Standards District Office in a brochure titled Vehicular Hazards.*

In 1985, there were over two dozen reported incidents of vehicles crossing runways or taxiways without clearance. Some of these incidents resulted in aborted aircraft operations.

Do you have adequate control of ground traffic at your airport to prevent a disaster?

All airports, both towered and non-towered, should be aware of this problem since an incident may result in property damage, public outcry, liability lawsuits and, even death.

All types of ground vehicles may be involved in these incidents, including emergency vehicles, tenant vehicles, operation or maintenance vehicles, construction vehicles and sometimes off-airport vehicles.

There are many ways to prevent these hazardous conditions by restricting access to the operations areas.

The FAA recommends using natural or man-made barriers, fences, gates, trained guards, secured locks, code, card or key accountability, warning signs, vehicle ID system and aggressive enforcement.

Another item they recommend is tenant awareness with posted rules and regulations concerning the restricted areas.

According to the FAA communicating with vehicles is the key.

- **Require "read back" of ATCT instructions.**

- **All vehicles in movement area must have radio, escort or**

special procedures.

- **Good quality radios, i.e. reliability.**

- **Radios with sufficient output power.**

- **Know where your blind/deadspots are.**

- **Drivers know tower terminology.**

- **Appropriate frequencies for aircraft/FAA emergency services, operations personnel.**

- **Establish priority system when more than one radio is in the vehicle.**

- **Consider language and speech barriers.**

- **Look both ways when cleared.**

Vehicles operating in the area should follow basic procedures.

Drivers should be familiar with the airport, know all speed limits associated in the airport and have special driver training, if applicable.

Vehicles should have adequate radios and insurance to protect themselves if needed.

Airports should also have special dedicated vehicle lanes, vehicle identification systems and escort vehicles available.

In addition, airports should avoid conflict between vehicle ID numbers and aircraft flight numbers. Airports should also aggressively enforce all rules and regulations.

Airport planning and development departments should recognize the importance of vehicular hazards with easily accessible road systems in the airport. Airport planners should also build service roads to remove non-essential vehicular traffic from runways and taxiways. Fuel tenders baggage

equipment, and cargo equipment should all utilize service roads to minimize traffic on taxiways.

Planners should also take into consideration crash/fire and rescue vehicle access and they should relocate fuel farms, cargo buildings and aircraft maintenance buildings to reduce vehicle traffic.

Airports should have runways and taxiways marked and lighted adequately to decrease the possibility of an accident. Intersections that cannot be avoided should have special procedures with markings, signs, cross bars, flagmen and rumble bumps.

Airports should also hold special pre-construction/pre-design conferences to go over safety aspects. Airport personnel should also enforce all contractual agreements.

Remember, monitoring programs are very effective in preventing vehicular accidents. The programs should authorize who is to be on the airport restricted areas and have knowledge of all airport rules and regulations.

Monitoring programs should also be in charge of gate operations, radios, vehicle identification, marking and lighting.

Prevention is the operative word. Special "runway crossing" committees can be very effective in preventing accidents. Bulletins to all tenants, special signs at runway intersections and a reporting system to airport operators are all effective ways to reduce accidents.

The airport owner or tenant cannot delegate airport safety. You must set the example yourself by establishing and following rules and regulations for ground vehicles.





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AERONAUTICS COMMISSION**  
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## **This Month. . . Inside Palmetto Aviation**

- Camden Dedicates Woodward Field Terminal
- Frosted Wings are Hazardous Things
- This Aeronca Champ is a Flying Beauty

. . . and much, much more!

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# **Apache Attack Helicopters Rolled Out**



"The roar of these helicopters is the sound of freedom," said S.C. Adjutant General Eston Marchant at the rolling out of the state's new AH-Apache attack helicopters (r), the most modern and deadly attack helicopter in the U.S. defense inventory.

Twenty Apaches, estimated at \$11 million each, have been assigned to the newly formed First Battalion, 151st Advanced Helicopter Unit based at McEntire ANG Base.

Pictured left is Apache pilot Lem Grant demonstrating a helmet display unit at the roll out ceremony.

This publication is printed and distributed by the South Carolina Aeronautics Commission in the interest of aviation safety and to foster growth of responsible aviation in the state. The viewpoints expressed in articles credited to specific sources are presented as the viewpoints of those writers and do not necessarily reflect the opinion of the South Carolina Aeronautics Commission.